

ROUTING AND TRANSMITTAL SLIP

23 MAY 1984

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REMARKS

A few weeks ago you asked me for any thoughts we might have on Eloise Page's paper on unauthorized disclosures. I asked a thoughtful member of the staff for his thoughts, and they are attached. You might be interested. In particular I like the idea of some kind of program of periodic sessions with classes in journalism schools.

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Jim,

1. This is to comment on Eloise Page's paper re initiatives to combat unauthorized disclosures.

2. In short, her measures look pretty good--particularly the legislation, FBI unit and special prosecutor. If they are politically feasible, their very existence may help. A single well-publicized, high-level conviction would do a lot.

3. One thing missing from the paper is a strategy for dealing with the media. Yet they are principal villains in the disclosure business.

4. We can just accept the idea that the media have an unlimited license to hunt and publish, that the public has an unlimited right to know, that government secrets are fair prey for media watch-dogs, that the First Amendment inhibits any restraints, and that the proper, democratic relation between government and media is adversarial. Conversely, we can quietly observe that absolute power corrupts absolutely, that the power of the media to publish in this country is nearly absolute, that other people besides the media have the job of promoting the general welfare and providing for the common defense, and that the freedom of the media among others hangs directly on the success of those people. Also, as officers of CIA we can bear personal witness to the massive cost--in cancelled programs, in lost opportunities, in opposition countermeasures and in threats to (loss of - ?) life--that media exposure has brought. More, we can cite precise parallels in methods and results, if not in motivations, between the media's attempts to penetrate us and our opposition's attempts to do the same. Maybe we have an obligation as citizens and taxpayers with knowledge that is important to the nation's welfare to give voice to our fears.

5. The Agency's posture toward the media is basically defensive, reactive and tongue-tied. What we say is: "no comment"; "that disclosure was wrong and outrageous." Next we wring our hands, send emissaries out to brief key people in the Administration and Congress and correct the record, then hunker back awaiting the next blow. Maybe it's time for an offense as well as a defense and an attempt to get things in better balance. Here are some personal thoughts as to do's and don'ts on this score.

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DON'T

- Don't believe we should, or can, frontally attack the concepts listed at the start of paragraph 4.
- Don't announce a program to curb the media's excesses.
- Don't expect much help from Congress in the way of legislation, e.g., an Official Secrets Act.
- Don't assume that World War II slogans ("Loose Lips Sink Ships") will do much; they are nostalgia.
- Don't expect much help from Congress when it comes to CA; there's a lot of political mileage in exposure; besides, it's too easy to argue there's a public interest in debating actions that could lead to war.
- Don't believe the media are monolithic, all with the ethics of an alley-cat; they have owners, Boards, managers, editors, broadcasters, reporters, et al.; most of them have as big a stake in the U.S. as anybody else.
- Don't forget that public confidence in the press is low; per Time magazine in December only 13.7 percent of the public reportedly had confidence in the press; the latter have their own reasons for wanting to improve the image.

DO

- Think long-term, expect that self-discipline is probably all we can hope for from the media in the foreseeable future.
- Remember that the problem is not ours alone; it extends to the whole Community; the latter should want to help.
- Let it be known that we, the nation, are getting hurt; admit the pain; professional stoicism isn't getting us anywhere.
- Recognize the need for outside allies; a Presidential statement and a Commission are good ideas; so would be the formation of some successor organization to maintain a continuity of effort; direct CIA sponsorship would be pilloried.
- Prepare a sanitized list of examples of foolish media disclosures--ones that have cost the country or individuals substantially.

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- Admit the proposition that secrecy has been used to shroud abuse; but challenge the proposition that it has no legitimacy; articulate the peace-time rationale.

- Recognize that despite the media we have a big bank of acceptance and good will out there in the society at large.

- Remember that the organization has official contacts with influential people outside the Community--people in leadership posts in this society; academia and the media included; and remember that we undoubtedly have in the organization many who know such people unofficially and who could help to provide access if needed.

- Remember that restraint of the press is not per se undemocratic. The British and Israeli examples come to mind. So does our own press' self-restraint in time of war. Freedom of speech and of the press are not absolute concepts.

- Emphasize the fragility of sources and methods.

- Rebut the concept that this is just a game of hide and seek.

- Remember this is a mercenary business; disclosures sell papers; individual reporters go on the speakers circuit and get big fees.

- Remember that media freedom is basically a good thing for the U.S., as is its adversarial relation to government--but not at any cost.

6. If we can get the Presidential Statement, Presidential Commission and legislation recommended by Eloise Page, they would be a springboard for some other steps. These occur to me:

- Members of the intelligence establishment are public figures, and they get the spotlight with some regularity--e.g., McFarlane on Meet the Press 14 May. Whatever the agenda for such get-togethers may be, and however out-of-order it may seem, I can't see missing the chance to testify to one's personal concern about the damage done by unauthorized disclosures and to put the question to the media of whether any consideration of ethics/propriety/legality/cost apply to publication. The Office of Public Affairs has constant contact with the media, and the same opportunity arises, though not in the limelight. Still, repetition of the points may plant some seeds.

- The media have owners, Boards of Directors, managing editors et al. (We had some success for a while in staving off

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[redacted] The best tack, I think, would be to go to them, state our problem and ask whether there are any situations, short of war, where they would be willing to exercise self-restraint and, if so, to solicit their advice in developing some rules of reason. For example, would it be possible to appoint some authority of sufficient stature (e.g., a Board of ex-Presidents) that the media would trust it on matters of national security? One thing that shouldn't be omitted from such a session with the media brass--examples of how they've had their cord pulled by disinformation and by charlatans.

- The media do give some lip-service at least to ethics--Hodding Carter's "Inside Story" on PBS purports to keep a watchful eye on media ethics, likewise the Post's ombudsman, and there must be others. One way or another we ought to try to get such people to address the issues that concern us.

- We have periodic sessions with college and university presidents, some of them undoubtedly with schools of journalism. Why miss the chance of putting our case in these forums as well? The result might well be a challenge to the practice of publishing indiscriminately whatever an investigative reporter can come up with. And, given some curriculum changes, the next generation of reporters might show some elevation of ethics.

7. These are preliminary thoughts. Others may have better ones. The basic thesis is that we can't just throw in the towel vis a vis the media.

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